

IN THE UNITED STATES DISTRICT COURT

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

FOR THE SOUTHERN DISTRICT OF GEORGIA

2018 OCT 10 PM 4:39

DUBLIN DIVISION

CLERK M. A. C.
SO. DIST. OF GA.

KENNETH CLAY,

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Plaintiff,

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V

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CV 318-065

MONTGOMERY COUNTY GEORGIA
SHERIFF'S DEPT., and RON BIVINS,

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Defendants.

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ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed. (Doc. no. 11.) Accordingly, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion, **DENIES** Plaintiff's request to proceed *in forma pauperis*, (doc. no. 2), and **DISMISSES** this action without prejudice. If Plaintiff wishes to proceed with the claims raised in this lawsuit, he must initiate a new lawsuit, which would require submission of a new complaint. See Dupree v. Palmer, 284 F.3d 1234, 1236 (11th Cir. 2002).

SO ORDERED this 10th day of October, 2018, at Augusta, Georgia.

UNITED STATES DISTRICT JUDGE


RUDOLPH W. BLACK, JR.
UNITED STATES DISTRICT JUDGE